

04/30/2013

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**ATTORNEYS FOR COMPASS BANK**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
BEAUMONT DIVISION**

<b>IN RE:</b>	§ <b>CASE NO. 13-10081-BP</b>
	§
<b>ELIAS HERNANDEZ,</b>	§ <b>CHAPTER 13</b>
<b>DEBTOR</b>	§
	§
<hr/>	§
<b>COMPASS BANK,</b>	§
<b>MOVANT,</b>	§
	§
<b>v</b>	§
	§
<b>ELIAS HERNANDEZ, DEBTOR</b>	§
<b>FLORA MARIE HERNANDEZ, CO-DEBTOR</b>	§
<b>JOHN TALTON, TRUSTEE</b>	§
<b>RESPONDENTS</b>	§

**ORDER GRANTING MOTION OF COMPASS BANK  
FOR RELIEF FROM §1301 CO-DEBTOR STAY AGAINST  
2233-2249 MEMORIAL BLVD., PORT ARTHUR, TX 77640**

On April 15, 2013, a Motion of Compass Bank for Relief from §1301 Co-Debtor Stay Against 2233-2249 Memorial Blvd., Port Arthur, TX 77640, with Waiver of Thirty Day Hearing Requirement, and Request for Hearing in Beaumont, Texas (the "Motion") was filed by Compass Bank (the "Movant") in the above referenced case. The Court finds that the Motion was properly served pursuant to the Federal and Local Rules of the Bankruptcy Procedure and that it contained the appropriate fourteen (14) day negative notice language, pursuant to Local Rule of Bankruptcy

Procedure 4001, which directed any party opposed to the granting of the relief sought by the Motion to file a written response within fourteen days or the Motion would be deemed by the Court to be unopposed. The Court finds that no objection or other written response to the Motion has been timely filed by any party. Due to the failure of any party to file a timely written response, the allegations contained in the Motion stand unopposed and, therefore, the Court finds that good cause exists for the entry of the following order.

**IT IS THEREFORE ORDERED** that the Motion for Relief from §1301 Co-Debtor Stay Against 2233-2249 Memorial Blvd., Port Arthur, TX 77640, with Waiver of Thirty Day Hearing Requirement, and Request for Hearing in Beaumont, Texas filed by Movant on April 15, 2013 is hereby **GRANTED** so as to authorize the co-debtor stay be modified to permit Movant to foreclose upon its lien and liquidate the Real Property as permitted by note and law, and if applicable, permit Movant to file an unsecured claim for any remaining deficiency balance.

**IT IS FURTHER ORDERED** that, since the Motion was unopposed by any party, the fourteen (14)-day stay period otherwise imposed by Fed. R. Bankr. P. 4001(3) shall not be applicable to this Order.

Signed on 04/30/2013

A handwritten signature in cursive script, appearing to read "Bill Parker", is written over a horizontal line.

THE HONORABLE BILL PARKER  
UNITED STATES BANKRUPTCY JUDGE